

REMARKS

After entry of this response, Claims 1-6 and 8-13 are pending in the present application. Applicant respectfully requests reconsideration by the Examiner in light of the following remarks.

I. Rejection under 35 USC §112

Claims 1-6 and 8-13 are rejected under 35 U.S.C. § 112. In order to advance the prosecution of the present application, Applicant has amended the claims to change the terminology describing the key shaped protrusion (flange) to the original terminology recited in the specification. Applicant does not acquiesce to any issue raised, statement made, rejection or objection made with respect to the amendment of the terminology whether or not successfully addressed herein.

II. Rejection under 35 USC §102

In the final office action, the Examiner issued a 35 U.S.C. § 102(b) rejection of Claim 14, as being anticipated by Fain et al. U.S. Patent 5,679,026 (albeit presumably referring to Claim 14 as "Claim 12" in paragraph 1 on page 3). Applicant has cancelled Claim 14 and amended several claims based upon the interpretation that the rejection was of Claim 14, rather than Claim 12. The Examiner is respectfully urged to clarify whether applicant's interpretation of the rejection is accurate.

Further, although the rejection is moot in view of the cancellation of Claim 14, Applicant will address the merits of the rejection because the amended claims contain similar subject matter to that of the cancelled Claim 14. Contrary to the Examiner's assertion, the Fain reference fails to teach or suggest a lead connector adaptor including: "an electrical contact resilient key coupled to the connector ring and extending through the insulating adaptor body into the lumen to project from the inner lumen surface, the key being dimensioned so as to be in registration with one of the lead connector pads at a time when the lead connector is inserted" as stated, for example, in amended Claim 1. The Examiner has taken some liberty with the description of Fig. 4 in

the Fain reference and in doing so has overlooked the express teachings of the reference. Specifically, the Examiner has characterized the screws that engage set screw cavities 60 and 62 as providing electrical connectivity. However, the Fain reference explicitly discloses that the electrical contact is provided by set screws 32 and another set screw opposite set screw 32 (not shown) within the header. See col. 9, lines 47-50 and lines 56-59. The Fain reference explicitly discloses that the set screws that engage set screw cavities 60 and 62 simply provide mechanical securement of the lead connectors in the connector port and nothing more. Thus the Examiner's assertion that the set screws that engage set screw cavities 60 and 62 are electrical contact keys is without merit and should be withdrawn.

Yet further, the Fain reference fails to teach or suggest a lead connector including "an array of lead connector pads wherein the pads are distributed circumferentially in an adjacent spaced apart relationship around a periphery of the lead connector" as stated, for example, in amended Claim 1. The lead connector system of the Fain reference discloses that the electrical connectivity is provided within the header 18, rather than the header adapter 40. See e.g. col. 5 lines. 38-52. Moreover, the electrical connectivity is provided by simply engaging set screws within the header. Amended Claim 1 is directed to providing an adaptor for a lead having a plurality of electrodes from which one or more electrodes may be selected to optimize electrical stimulation therapy. The array of lead connector pads in the adaptor permits selective connection of individual electrodes on the lead to the connector header of a device.

Accordingly, the rejection under U.S.C. § 102(b) of Claim 14 as being anticipated by the Fain reference is improper and must be withdrawn. Consequently, Fain fails to teach or suggest the subject matter as a whole of Claims 1 and 12 and the claims dependent thereon.

III. Conclusion

In view of the foregoing, it is submitted that this application is in condition for allowance. Favorable consideration and prompt allowance of the application are respectfully requested.

The Examiner is invited to telephone the undersigned if the Examiner believes it would be useful to advance prosecution.

Respectfully submitted,

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Date

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